

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SAMUEL THURLOW JOHNSON,

3:10-CV-01326-HU

Petitioner,

ORDER

v.

**PAULA MYERS, Superintendent,
South Fork Forest Camp,**

Respondent.

BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#50) on February 14, 2013, in which he recommended the Court deny Petitioner Samuel Thurlow Johnson's Petition (#1) for Writ of Habeas Corpus (28 USC § 2254), dismiss this matter with prejudice, and deny a certificate of appealability. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988).

In his Objections, Petitioner reiterates the arguments contained in his Petition and Memorandum in Support of Petition. This Court has carefully considered Petitioner's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#50), **DENIES the** Petition (#1) for Writ of Habeas Corpus, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 17th day of May, 2013.



ANNA J. BROWN
United States District Judge